

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): FOK, Kenny K.	Group Art Unit: 2617
App. No.: 09/848,070	Examiner: DANIEL Jr., Willie J.
Filed: May 3, 2001	Conf. No.: 7836
Title: INSTANT MESSAGING TO A MOBILE DEVICE	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO EXAMINER'S INTERVIEW SUMMARY

Dear Sir/Madam:

This communication is submitted in reply to the Interview Summary prepared by the Examiner, mailed on December 8, 2006. A response to the Office Action dated September 27, 2006 was submitted prior to receipt of the Interview Summary. Accordingly, applicant submits the following reply within the one-month period for reply measured from December 8, 2006.

During the Interview conducted on December 5, 2006, Applicant explained that the Carey reference does not teach the subject matter defined by claim 50. Specifically, Applicant explained that the Carey reference is completely silent as to a "proxy server" or any other type of server that can maintain the presence information of the wireless communication device with the instant messaging service such that the wireless communication device appears "online" even when in fact there is no "data connection" between the wireless communication device and the wireless network.

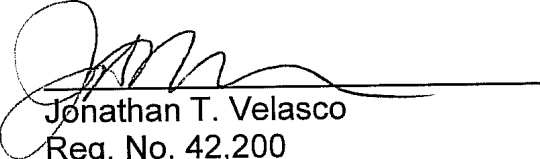
Applicant addressed the previous rejection of claim 50 with the Examiner to illustrate that the text cited does not disclose such a limitation. The Examiner

expressed concern that the claim as written may be broader than Applicant was asserting. Applicant disagreed but suggested adding clarifying language to the claim that Applicant felt would not narrow the claim, but may make the scope clearer to the Examiner.

Specifically, Applicant suggested modifying claim 50 to include the following limitation: "...presence information to the instant messaging service to indicate that the wireless communications device is online even when a data connection does not exist between the wireless communication device and the wireless network..." In response, the Examiner indicated that he could not allow such a modified claim without receiving an actual amendment with remarks and possibly performing an additional search. Accordingly, Applicant agreed to prepare and file an RCE, which was later submitted on December 14, 2006.

Respectfully Submitted,

Dated: JAN 8, 2006


Jonathan T. Velasco
Reg. No. 42,200

Jonathan T. Velasco
Kyocera Wireless Corp.
Attn: Patent Department
P.O. Box 928289
San Diego, California 92192-8289
Tel: (858) 882-3501
Fax: (858) 882-2485